

## DETAILED INSPECTION CHECKLIST

FA SC STMT TEXT

090 LEGAL ADMINISTRATION

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090 01 NON-JUDICIAL PUNISHMENT

090 01 001 Is a UPB (NAVMC 10132) being utilized in each instance where NJP is imposed on Marine enlisted personnel with a separate binder for each calendar year?

Reference

MCO P5800.16A W/CH 1-7, par 3008.1 and 3008.10

090 01 002 Are UPBs maintained alphabetically for 2 full years in a loose-leaf binder with disposal instructions on the binder?

Reference

MCO P5800.16A W/CH 1-7, par 3008.10; SECNAVINST M-5210.1, par 5812

090 01 003 Is a summarization of the NJP proceedings attached to the UPB form?

Reference

MCO P5800.16A W/CH 1-7, par 3008.6

090 01 004 Are original letters of appeal and allied papers filed with the UPB files of the unit which conducted the NJP?

Reference

MCO P5800.16A W/CH 1-7, par 3008.7

090 01 005 Are all NJPs run on unit diary with the exception of non-punitive measures prescribed in the reference?

Reference

MCM, PART V, par 1g

090 01 006 Are entries recorded on the UPB consistent with entries recorded on the unit diary?

Reference

MCO P5800.16A W/CH 1-7, par 3008.3; MCO P1080.40, par 70503

090 01 007 Are punishments imposed in compliance with allowable maximum punishments?

Reference

ARTICLE 15, UCMJ, PART V, par 5, MCM; JAGINST 5800.7E W/CH 1 and 2, chap I, par 0111

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- 090 01 008 Are appeals requesting stays of punishment involving restriction/extra duties acted on within 5 days? If not, are punishments automatically stayed?  
Reference  
MCM, PART V, par 7d
- 090 01 009 Are processes in place to ensure paragraph 6105, MCO 1900.16G counseling entries are properly recorded on the Page 11 (NAVMC 118(11)) and entered into a Marine's ESR?  
Reference  
MCO 1900.16G, par 6105;  
MCO P1070.12K W/CH 1, par 4006.3R
- 090 01 010 Are counseling entries prepared pursuant to paragraph 6105, MCO 1900.16G, and do they contain all elements that would satisfy the requirements for use in specified involuntary separation proceedings?  
(1) Written notification concerning deficiencies or impairments;  
(2) Specific recommendations for corrective action;  
(3) Assistance availability;  
(4) Comprehensive explanation of the consequences of failure to successfully take the recommended corrective action;  
(5) Reasonable opportunity for the Marine to undertake the recommended corrective action; and  
(6) Proper authorized signatures.  
Reference  
MCO 1900.16G, par 6105; MCO P1070.12K W/CH 1, par 4006.3R
- 090 01 011 The following apply to each UPB for the past 2 calendar years:
- a. Item 1: Does this include article(s) of the UCMJ violated and a brief summary of each offense alleged with date, time, and place of the alleged offense?
- b. Item 2: Will require advising the accused in accordance with Article 31, UCMJ and JAGMAN section 0104. Did the accused indicate intentions by striking out inapplicable portions, unless the accused is attached to or embarked on a ship?
- c. Item 3: Completed upon ensuring that the individual has been informed of rights enumerated in item 2. Did the immediate commanding officer date and sign item 3 prior to imposition of NJP?
- d. Item 4: After advising the accused of their opportunity to consult with counsel prior to electing to accept NJP, the violation of the article(s) of the UCMJ, and whether they accept NJP, did the accused date and sign this block?
- e. Item 5: Does this block contain current and previous UA's in excess of 24 hours, and current and previous desertions recorded?

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- f. Item 6: Record complete and accurate punishment(s) awarded.
  - g. Item 7: Record complete and accurate suspension of all or part of punishment awarded. Or is the word "None" recorded?
  - h. Item 8: Enter complete name, grade and title of the officer who took final action.
  - i. Item 9: Is this block signed by the officer imposing punishment?
  - j. Item 10: Does this block properly reflect notification date?
  - k. Item 11: Is this block signed by the officer imposing punishment?
  - l. Item 12: Is this block signed and dated by the person whom punishment has been imposed?
  - m. Item 13: Is this block complete or are the words "Not appealed" recorded?
  - n. Item 14 complete or left blank?
  - o. Item 15 complete or left blank?
  - p. Item 16 complete or left blank?
  - q. Item 17 complete as to initials of the officer responsible for required administrative action?
  - r. Item 18 correctly reflect complete unit?
  - s. Item 19 correctly reflect last name, first name, and middle initial?
  - t. Item 20 correctly reflect grade and pay grade?
  - u. Item 21 correctly reflect SSN?
- Reference  
MCO P5800.16A W/CH 1-7, par 3008.5

090 01 012 Are processes in place to maintain and properly distribute Unit Punishment Books (NAVMC 10132)?  
(1) File original in Originating Command's Files  
(2) Copy to IPAC  
(3) Copy to OMPF  
(4) Copy to Marine's ESR  
(5) Copy to member  
Reference  
MCO P5800.16A W/CH 1-7, par 3008.3

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- 090 01 013 Are signatures on the UPB that of the Commander or as authorized by the reference?  
Reference  
MCO P1070.12K W/CH 1 and MCO P5800.16A W/CH 1-7, par 3002
- 090 01 014 If a Commander intends for an oral reprimand to be non-punitive, is the UPB being retained or disposed?  
Reference  
MCO P1070.12K W/CH 1
- 090 01 015 If a hearing of NJP results in no punishment imposed, is the UPB being retained or disposed?  
Reference  
MCO P5800.16A W/CH 1-7, par 3008.5F
- 090 02 COURTS-MARTIAL
- 090 02 001 Does the unit have complete summary and special courts-martial case files for each case tried within the past 2 years?  
Reference  
SECNAV M-5210.1, sect III, par 5813
- 090 02 002 Does the unit prepare the Record of Conviction by Court-Martial (NAVMC 118(13)) for all summary, special, and general courts-martial where the convening authority approves all or part of the sentence?  
Reference  
MCO 1070.12K, par 4008
- 090 02 003 Are SRB page 13 (NAVMC 118(13)) entries prepared after trial complete and accurate with respect to the following:
- a. Item 1 correctly reflects organization and unit of the accused?
  - b. Item 2 correctly reflects type of court-martial and has the accused's signature with date acknowledging the Booker Statement (for summary court-martial only) [Note: For the 08/09 version the date and signature immediately to the right of item 2 are not applicable]
  - c. Item 3 correctly reflect a summary of charges and specifications?
  - d. Item 4 correctly reflects the findings for each charge and specification?
  - e. Item 4a reflect the proper entry concerning representation by counsel?
  - f. Item 5 correctly reflects the sentence adjudged?
  - g. Item 6 reflects correct action taken by the convening authority and date of convening authority's action?

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h. Item 7 reflects date and unit diary number.

j. Item 8 reflects the typed name of the commanding officer or the officer authorized to sign by direction? [If signed "by direction" it must be annotated in this block as well]

k. Item 9 reflects grade of officer signing?

l. Item 10 reflect the title and organization of the officer signing? [i.e. Commanding Officer, Adjutant, Personnel Officer, etc...]

Reference

MCO P1070.12K W/CH 1, par 4008.2B

090 02 004 Are processes in place to maintain and properly distribute the Record of Conviction by Court-Martial (NAVMC 118(13))?

(1) File original in Command Legal Files

(2) Digital Copy to Marines ESR

(3) Digital Copy to OMPF

Reference

MCO P1070.12K W/CH 1, par 4008.4A

090 02 005 Does the unit forward all summary courts-martial to a Judge Advocate for the required post-trial review?

Reference

MCM (2012 Edition), Art 64 UCMJ

090 02 006 Does the unit maintain a copy of the Judge Advocate Review for every special courts-martial where the accused was not sentenced to a punitive discharge?

Reference

MCM (2012 Edition), Art 64 UCMJ

090 03 FILES

090 03 001 Are legal files properly established and maintained?

Reference

SECNAV M-5210.1, PART III, chap 5; MCO 5210.11E

090 03 002 Is each legal file folder labeled with a standard subject identification codes and open/close data?

Reference

SECNAV M-5210.2, PART I-IV; SECNAVINST 5210.8D, par 6d;

MCO 5210.11E, par 4a(2)(j)

090 03 003 Does each legal file folder have disposal instructions on the outside of the folder?

Reference

SECNAV M-5210.1, PART I-IV; MCO 5210.11E, par 4b(5)

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- 090 03 004 Are legal files properly retired/disposed of?  
Reference  
SECNAV M-5210.1, PART III, par 5813.3; SECNAVINST 5210.8D, par 7c(5); JAGINST 5800.7F, chap I, par 0154 and 0162; MCO 5210.11E, par 4b(5)
- 090 04 ABSENTEES AND DESERTERS
- 090 04 001 Have personnel who have been absent for a period in excess of 30 days been declared a deserter and dropped from the unit's rolls?  
Reference  
MCO P5800.16A W/CH 1-7, par 5004.2
- 090 04 002 If a Marine is reported in MCTFS as UA or is dropped and declared a deserter, is the correct information recorded on the UPB (NAVMC 10132) and are processes in place to properly distribute the UPB?  
Reference  
MCO P1070.12K W/CH 1, par 4007; MCO P5800.16A W/CH 1-7, par 3008.10
- 090 04 003 Has the command reported the UAs of those personnel who have failed to report to a duty station or intermediate station for transportation by the hour/date specified on official orders?  
Reference  
MCO P5800.16A W/CH 1-7, par 5003.1 and 2
- 090 04 004 After 48 hours of absence, has the commander notified the PNOK telephonically of the absentee's status and request assistance in returning the absentee to military control?  
MCO P5800.16A W/CH 1-7, par 5003.4
- 090 04 005 Are DD Form 553 being prepared, maintained and properly distributed by the unit in accordance with the reference, including CMC (PSL), Electronic Service Record (E-Record), primary next of kin and the units assigned reporting and prisoner escorts?  
Reference  
MCO P5800.16A W/CH 1-7, par 5004.2d
- 090 04 006 Are health and dental records for deserters scanned into the Marine's OMPF and forwarded to CMC (PSL) on the 91st day of absence?  
Reference  
MCO P5800.16A W/CH 1-7, par 5004.2d(9)
- 090 04 007 Are straggler orders properly being distributed to include the pay adjustment authorization (DD Form 139)?  
Reference  
MCO P5800.16A W/CH 1-7, par 5011.5d

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- 090 04 008 Is a DD Form 616 being prepared for returnees from UA/desertion and are they maintained and properly distributed to the recipients of the DD Form 553 and DFAS, Kansas City?  
Reference  
MCO P5800.16A W/CH 1-7, par 5011.6a(4) and 5018.2
- 090 04 009 In the event that a Marine has been convicted by civil authorities (foreign or domestic), has the commander reported the results by message to CMC (PSL) of an offense for which a punitive discharge would be authorized, sentenced to confinement for six months or more, or convicted of an offense which involves moral turpitude?  
Reference  
MCO P5800.16A W/CH 1-7, par 5016.1c(1)(a)
- 090 05 ADMINISTRATIVE INVESTIGATIONS
- 090 05 001 Does the unit have complete file copies (to include all endorsements) of each Administrative Investigation processed during the past 2 years?  
[Must include endorsement from HHQ as appropriate]  
Reference  
SECNAV M-5210.1, PART III, chap 5; JAGINST 5800.7F, chap II, sect 0209f(3)
- 090 05 002 Is a disclosure form attached to each Administrative Investigation, where personal information is contained pertaining to an individual of the record (recommended).  
Reference  
JAGINST 5800.7F, CHAP II, sect 0207e(3); MCO P5211.2, chap 7
- 090 05 003 Do all Administrative Investigations comply with time limitations set for completing, reviewing and forwarding?  
Reference  
JAGINST 5800.7F, chap II, sect 0203e, 0206c(9), 0209f, 0210c(7), 0210f(1) and 0225
- 090 05 004 Do Administrative Investigations that do not comply with time limitations have an explanation of the delay in the Commanding Officer's endorsement or in the IO's preliminary statement?  
Reference  
JAGINST 5800.7F, chap II, sect 0208c
- 090 05 005 Do Command Investigation convening orders contain all relevant elements identified in the reference?  
JAGINST 5800.7F, chap II, sect 0206c
- 090 05 006 When photographs or video recordings are included as part of the investigation are they marked properly?  
JAGINST 5800.7F, chap II, sect 0206(4)

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- 090 05 007 Has the commander properly endorsed all Command Investigations to include investigations closed at the unit level to file?  
JAGINST 5800.7F, chap II, sect 0204d
- 090 05 008 Has the commander forwarded all Command Investigations (except those Command Investigations that meet the criteria under section 0209(f)(1)) to the General Court-Martial Convening Authority for review?  
JAGINST 5800.7F, chap II, sect 0209g(1)
- 090 05 009 Has the command convened or conducted any Litigation-Report Investigations over the past two years? (If not, proceed to 090 03 012). Do Litigation-Report Investigation convening orders contain all relevant elements identified in the reference?  
JAGINST 5800.7F, chap II, sect 0210c
- 090 05 010 Do Litigation-Report Investigations state specifically: "This investigation is being convened and your report is being prepared in contemplation of litigation and for the express purpose of assisting attorneys representing the interests of the United States in the matter?"  
JAGINST 5800.7F, chap II, sect 0210c(3)
- 090 05 011 Do all Litigation-Report Investigation files kept in a file marked "FOR OFFICIAL USE ONLY: LITIGATION/ATTORNEY WORK PRODUCT"?  
JAGINST 5800.7F, chap II, sect 0210f(2)
- 090 05 012 In the event of a service member's death has the commander at a minimum ordered a Preliminary-Inquiry Investigation into the circumstances surrounding the incident? Is this investigation independent of the line of duty determination?  
JAGINST 5800.7f, chap II, sect 0226a
- 090 05 013 In the event of a service member's death or admittance to a civilian hospital has the commander accurately reported the event via a Personal Casualty Report?  
MCO P3040.4E, chap 3, par 3200.1
- 090 06 ENLISTED INVOLUNTARY ADMINISTRATIVE SEPARATIONS
- 090 06 001 Is the command processing Enlisted Involuntary Administrative Separations utilizing Standard Naval Correspondence or via an electronic processing system?  
MCO 1900.6G
- 090 06 002 Does the unit have a complete file copy (to include a copy of the separation authority's endorsement) of each Enlisted Involuntary Administrative Discharge processed during the past 2 years?  
Reference  
SECNAV M-5210.1, chap 1, pg III-1-40-41



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- 090 06 003 Are activity copies of Administrative Discharge Records destroyed when 2 years old?  
SECNAV M-5210.1, chap 1, pg III-1-41
- 090 06 004 Are Enlisted Involuntary Administrative Separation processing time goals being met?  
MCO 1900.16G, chap 6, par 6102
- 090 06 005 During separation processing of all Enlisted Marines (except those separated for immediate reenlistment), does the commander provide a copy of Appendix D of the reference to the Marine, which informs the Marine about the Naval Discharge Review Board and the Board for Correction of Naval Records?  
MCO 1900.16G, chap 6, par 6104.1
- 090 06 006 Are the proper page 11, 6105 counseling entries made on a Marine prior to initiating separation proceedings in cases where counselling is a requirement?  
MCO 1900.16G, chap 6, par 6105.3
- 090 06 007 Are notification letters and command recommendations signed personally by the commanding officer, or during the commanding officer's official absence, are these letters signed "Acting" by the officer temporarily succeeding to command?  
MCO 1900.16G, chap 6, par 6302.3
- 090 06 008 If there is evidence of alcohol or drug abuse/dependence, is the respondent being screened at a SACC or an equivalent facility (i.e., military MTF, or other DOD counseling facility) and offered treatment before the case is referred to a board or forwarded to the separation authority?  
MCO 1900.16G, chap 6, par 6303.3
- 090 06 009 Does the commanding officers' recommendation for separation to the separation authority contain at a minimum: discharge or retention, the characterization of service, and type of discharge?  
MCO 1900.16G, chap 6, par 6305.1
- 090 06 010 Are all Enlisted Involuntary Administrative Separations processed for a Personality Disorder in complete compliance with the procedural requirements?  
MCO 1900.16G, chap 6, par 6203.3
- 090 06 011 Are all Enlisted Involuntary Administrative Separations processed for Sexual Misconduct procedurally compliant?  
MCO 1900.16G, chap 6, par 6210.4

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### 090 07 GENERAL

090 07 001 What system is in effect for placing an accused and witness on legal hold for a court-martial?

Reference

MCO 1900.16G, par 1008

090 07 002 What procedures are implemented to ensure a member is processed for appellate leave, if applicable? Describe briefly.

Reference

SECNAVINST 1050.1A; MCO 1050.16A

### 090 08 REFERENCES

090 08 001 Are the following publications with all changes available (electronic or hardcopy):

Manual for Courts-Martial

MARCORSEPMAN (MCO 1900.16G\_)

JAG MANUAL (JAGINST P5800.7\_)

LEGADMINMAN (MCO P5800.16\_)

MARINE CORPS MANUAL W/CH 1-3(1980)

IRAM (MCO P1070.12\_)

DON Clemency and Parole System (SECNAVINST 5815.3\_)

JER CH 6 (DOD DIR 5500.7\_)

Leave Awtg Review of Punitive discharge or AdSep (SECNAVINST 1050.1\_)

DoN Navy Records Management Program Records (SECNAV M-5210.\_)

RECORDS MANAGEMENT PROGRAMS FOR THE MARINE CORPS (MCO 5210.11\_)

PRIVACY ACT OF 1974 (MCO P5211.2\_)

DON Corrections Manual (SECNAVINST 1640.9\_)

BASE BRIG ORDER (if applicable)

ENLISTED PROMOTION MANUAL (MCO P1400.32\_)

Reference

NONE

During the past 12 months, the total number of:

NJPs \_\_\_\_\_

SCMs \_\_\_\_\_

SPCMs \_\_\_\_\_

GCMs \_\_\_\_\_

AdSeps \_\_\_\_\_

## DETAILED INSPECTION CHECKLIST

JAGMAN \_\_\_\_\_

CmdInves: \_\_\_\_\_

Death: \_\_\_\_\_

Adverse LOD: \_\_\_\_\_

Motor Vehicle: \_\_\_\_\_

Reference

NONE